

8FW 3738



CERTIFICATE OF MAILING	
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450.	
Date: <u>February 24 2005</u>	<u>Pamm Garwood</u> (Typed or printed name of person mailing paper or fee) (Signature of person mailing paper or fee)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Pavcnik et al.

Atty. Docket No.: PA-5213-CIP

Customer No.: 9896

Serial No.: 09/777,091

Group No.: 3738

Filed: February 5, 2001

Examiner: Javier G. Blanco

For: IMPLANTABLE VASCULAR DEVICE

COMMISSIONER FOR PATENTS
ALEXANDRIA, VA 22313-1450

**AMENDMENT, PETITION AND FEE TO ADD TO ORIGINAL,
ERRONEOUSLY NOT NAMED INVENTORS IN NONPROVISIONAL
APPLICATION DECLARATION (37 C.F.R. § 1.48(a))**

1. This amendment and petition is to correct the incorrect original naming of inventors in the declaration under 37 C.F.R. § 1.48(a) as set forth and filed on November 3, 2000.
2. Addition of Inventor:
Please add the following previously unnamed person as inventor of this application: Joseph W. Roberts
3. Attached is
 - (a) A statement from each person being added as an inventor that the error in inventorship occurred with deceptive intention on his or her part. 37 C.F.R. § 1.48(a)(1).
 - (b) a declaration by each of the actual inventors as required by 37 C.F.R. § 1.63.
4. Fee Payment (37 C.F.R. § 1.17(i) - \$130.00)


The Commissioner is authorized to charge our Deposit Account No. 13-2528 in the amount of \$130.00 for payment of the petition fee.

In the event of improper payment of a required fee, the Commissioner is authorized to charge or to credit Deposit Account No. 13-2528 as required to correct the error.

Please address all correspondence to:

Charles W. Agnew
Patent Agent
P.O. Box 2269
Bloomington, IN 47402-2269
(812) 330-1824

Respectfully,


Agent for Applicant
Charles W. Agnew
Reg. No. 44,497

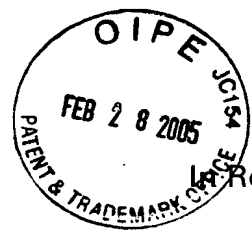
Date: Feb. 24, 2005

Customer Number

9896

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STATEMENT OF INVENTOR PURSUANT TO 37 C.F.R. §1.48(a)(1)

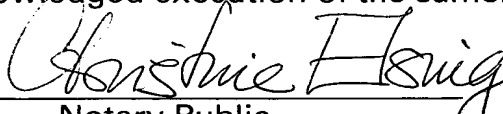
I, Joseph W. Roberts, state that the omission of my name as an Inventor on the above-referenced patent application was an error which arose without deceptive intention on my part.


Joseph W. Roberts

United States of America)
State of Minnesota) ss:
County of Ramsey)

On this 30th day of June, 2004, before me personally came Joseph W. Roberts, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.




Notary Public

My Commission Expires: January 30th, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
SUPPLEMENTAL DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

IMPLANTABLE VASCULAR DEVICE

the specification of which was filed on February 5, 2001, as Serial No. 09/777,091, and that this application claims subject matter disclosed in my earlier filed Provisional Application Serial No. 60/180,002, filed February 3, 2000 and Application No. 09/324,382 filed June 2, 1999.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

None

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

<u>Application No.</u>	<u>Date Filed</u>
60/180,002	February 3, 2000

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States applications listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United

States application in the manner provided by the first paragraph of Title 35, United States Code, 112, I acknowledge the duty to disclose material information

as defined in Title 37, Code of Federal Regulations, 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>Serial Number</u>	<u>Date Filed</u>	<u>Status</u>
09/324,382	June 2, 1999	Pending

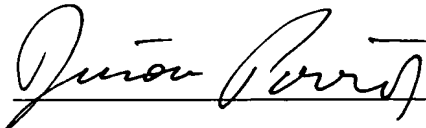
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint Richard J. Godlewski, Reg. No. 30,056, Charles W. Agnew, Reg. No. 44,497, and James B. Hunt, Reg. No. 40,276 as my attorney, with full power of substitution and revocation, to prosecute said application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith.

It is respectfully requested that all written communications from the Patent and Trademark Office in connection with this application be addressed to:

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Full name of
1st inventor Dusan Pavcnik

Inventor's
Signature  Date June 10 - 2004

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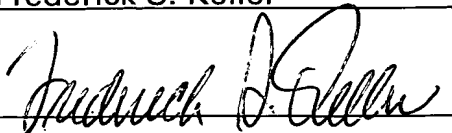
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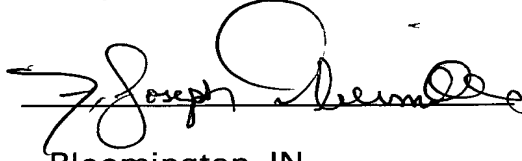
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Date

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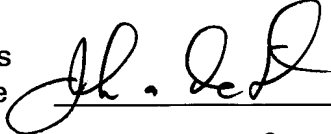
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